

1894-054

Lee Co.

Chancery Causes. J. S. Moore & Son] vs. J. F. Howard & Co]

Moore, Howard, Sheen

CA-Debt
T-Property

-Deed

To the Honorable W.T. Miller, Judge of the Circuit Court of Lee County, Virginia.

Your orators, J.S. Moore and E.W. Moore, partners trading under the firm name of J.S. Moore & Son, will state unto your honor that on the --day of January, 1894, their salesman sold to J.F. Howard a Bill of Merchandise; that your orators refused to ship said goods, not knowing said Howard's financial condition, until he sent them a statement of his worth; that in January your orator sent to said Howard a blank statement for him to fill out, and that on January 30, 1894, said Howard filled out said statement and signed the same and sent it to your orator, which statement is herewith filed as part hereof, marked "Howard Statement", and your orator also files said Howard's letter bearing date January 31, 1894, as part hereof, marked "Howard Letter". Your orator will further state that, relying upon said statement as being true, they shipped to said Howard said bill of goods, and still relying upon said statement as being true, on March 8, 23 and 26th they shipped other goods to said Howard, and on April 7, 14 and 28th they shipped other goods to said Howard, and your orators herewith files an itemized statement of all of said goods, as part hereof, marked "J.S. Moore & Son Account". Your orators aver~~y~~ that if they had not relied upon said statement made ~~by~~ said Howard, they would not have shipped said goods; and your orators further aver~~y~~ that said goods were shipped to said Howard per his order and at his instant and request; and your orators aver~~y~~ that said J.F. Howard is justly indebted to them in the sum of \$415.64 for goods, wares and Merchandise sold and delivered as above stated; and your orators further aver~~y~~ that said Howard is further indebted to your orator in the sum of \$2.35, being the amount that your orators paid for protest fee on a check given by said Howard July 5, 1894, to your orators y which check and protest fee is herewith

filed as part hereof, marked "Check and Protest".

Your orators aver that they have often demanded said Howard to pay to them the aforesaid sums of money, but that he has refused and neglected to pay the same, or any part thereof, and the same is now due and payable to your orators.

Your orators aver that said J.F. Howard, being largely indebted to various persons and firms, on the 12 day of May, 1894, or a few days thereafter, assigned ~~and~~ to John W. Howard and Claud Howard, his brothers, ^{doing business in the firm name of Soda Fountain} his whole stock of goods, wares and merchandise at Olinger, Lee County, Virginia, with intent to hinder, delay and defraud your orators; and your orator avers that said J.F. Howard, on the 12th day of May, 1894, or a few days thereafter, converted his aforesaid stock of goods ^{and Soda fountain} into notes, given by his aforesaid brothers to him, with intent to hinder, delay and defraud your orators; and your orators further aver that the aforesaid assignment or the alledged sale of the aforesaid goods, wares and merchandise ^{Soda fountain} by J.F. Howard to his aforesaid brothers, and the execution of the aforesaid notes by his brothers to him, was each and all done for the express purpose and intent to defraud your orators; and your orators further aver that since the alledged sale of said goods the said John W. Howard has been shipping ~~small quantities of~~ said goods to the wife of John F. Howard, Kingsport, Tennessee, for the purpose and with the intent to defraud your orators; and your orators further aver that said notes executed to J.F. Howard by his aforesaid brothers have been assigned to said J.F. Howard's wife for the express purpose of defrauding your orators and the other creditors of said Howard.

Your orators aver that J.F. Howard and Claud Howard are non-residents of the state of Virginia; that J.F. Howard owns a piece of real ^{80 but by 100 but} estate worth about \$50.00, at Olinger, Lee County,

J. W. Howard and Claud

Virginia,. Your orators aver that the aforesaid \$415.64 bears interest from June 1,1894, and the \$2.35 bears interest from July 5,1894, and that each of said sums has long since been due and payable.

Your orators pray that said ~~J.F.Howard~~, J.W.Howard and Claud ^{*dois Bois as opposed, and J.F. Howard*} Howard be made part. defendants to this bill, and be required to answer the same, but answer under oath is hereby waived; that the goods, Wares and Merchandise ^{*and Dole fountain and said lot on*} now in possession of J.W.Howard at Olinger, Virginia, be attached and sold to satisfy your orators' debt; ^{*and that said merchandise shall be set aside and decreed*} that your orators recover of J.F.Howard the sum of \$415.64 with interest thereon as aforesaid, and \$2.35 with interest as aforesaid, and cost of this suit; that proper process issue; and that your honor will grant unto your orators such other, further and general relief as their case requires.

And they will ever pray etc.

H.A.W.Skeen, Attorney for Plaintiffs.

*from of and estate
null and void.*

2 copy

issue copy
of attached
for application
Bent as per
motion

admission

perpetuity
of the

J. S. Moore & son

vs Bill Lee Chy

J. F. Neward & Co

1894 2nd Aug Rules Bill
filed Spa 2d & 3d
" 1st Sept Rules dismissed
by Plaintiff.

Plffs. Costs 6.20
C 1.50
Tax 2.00
Shift 6.00
Printer

RICHMOND, VA.

Jan 30 1894

Mr.

J. F. Howard

Oligier Va

Your order to hand; in reply we beg you will answer the following questions, so as to give us as a basis of credit, your financial standing without resorting to other methods to obtain it. We can then also impart the information to any one you may choose to refer us, and thereby make it to our mutual advantage. We will base our credit upon the information you may favor us with.

Respectfully,

J. S. MOORE & SON.

Amount of Stock on hand? - - - -	\$	1500 00
" " Good Notes and Acc'ts outstanding? \$		3000 00
" " Cash on hand? - - - -	\$	
Real Estate (in own name) valued at? - -	\$	7500 00
Other Assets? subscrip - - - -	\$	2800 00
Incumbrance on same? \$		310 00

No mortgage - nor deed trust
an nothing

Are you insured, and for how much?	ans to insure time	\$	
Amount owing for Goods? - - - -		\$	500 00
" " Borrowed Money? - -		\$	
Is any of your indebtedness due or past due?	none		
If due or part due, how much? - - -		\$	

Sign here J. F. Howard

"Howard Slater" "

J. F. Howard
W. S. THOMPSON

DEALER IN

GENERAL - MERCHANDISE.

COUNTRY PRODUCE BOUGHT AND SOLD.

Olinger, Va., Jan 8th 1894

Mr. J. S. Motte, and Son

Kind Sir to hand
& filled out blank and returned it
will say my real estate is deeded
to J. F. Howard and wife will
further say I do not credit anything
out of store to any I do Cash.
business & sell tobacco on time
to merchants - I am a tob. mfg'r.
if you are satisfied with this
statement ship at once or I
shall order elsewhere & bought
this just to accomodate your
salesman as he is a friend
of mine Yours
J. F. Howard

Howard Letter!

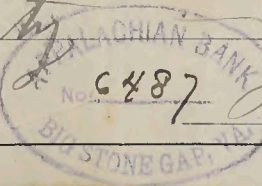
VIRGINIA

Pay to the order of J. S. Moore \$400.00
July 5th 1894
Big Stone Gap, Va.

Big Stone Gap, Va. July 5 1894 No.

APPALACHIAN BANK.

J. S. Moore & Co. order \$400.00
Dollars



J. F. Harwood,
Per J. W. Harwood.

COLLECT FOR ACCOUNT OF
J. S. Moore & Son.

PAY

Wm Dawell

Esq. Cashier Or Order, for Collection
for Account of

THE STATE BANK OF VIRGINIA

RICHMOND, VA.

WILLIAM M. HILL, Cashier.

"Dawell"

Big Stone Gap, Va. July 5-1894 No.
Appalachian Bank
Pay to J. S. Moore & Son on order \$40.⁰⁰/₁₀₀
Dollars
Per J. W. Howard

Endorsed as follows, viz: J. S. Moore & Son - William M. Bell
Cashier - The State Bank of Va. Richmond Va

STATE OF VIRGINIA, } ss.
COUNTY OF WISE.

On this fifth day of July, 1894, in the year of our Lord, one
thousand eight hundred and ninety four, I, Mr. B. Payne
a Notary Public, in and for the County of Wise, in the State of Virginia, duly authorized and Commis-
sioned, at the request of **APPALACHIAN BANK**, went with the original check

of which the above is a true copy, to Appalachian Bank in Wise County, Virginia, and demanded payment of
the same which was refused stop payment - stopped.

Wherefore, I, the said Notary, at the request aforesaid, then **Protested**, and by these presents do
solemnly protest against the drawer, endorser, and all others concerned therein, for exchange, re-
exchange, and all costs, charges, damages and interest suffered and sustained, or to be suffered and
sustained by reason or in consequence of the non-payment of said
check.

This is to Certify, that I have this July 5 1894, deposited in the Big Stone Gap
Post-office, postage paid, notices of Protest addressed to Wm M Bell, Cashier
The State Bank of Va. Richmond Va

Inclosed J. S. Moore & Son - J. W. Howard
and personally delivered notices of this protest to _____
at _____

Protest, } \$1.00
Record, } 30
Notices, 10c. each, 1.25
Tax on seal, 0.00
Postage, 0.30

This Done, in the County of Wise and State of Virginia,
aforesaid, and my Notarial Seal affixed, the 5
day of July 1894, the same being duly re-
corded in my office as is by law required.

Mr. B. Payne
Notary Public.



No. 216
J. F. Howard per J. W. Howard
Wich

PROTESTED

For Non payment
July 8 1894
Amount, - - - - \$ 40.00
Protest Fee and Charges, \$ 2.36
Total, - - - - \$ 42.36

made for 9 in
to Kaum Waia
to Kaiten 2.48

Protest 41

Virginia Lee County, 2000:
I A B Murray Clerk of Lee County
Circuit Court
do certify that N. A. W. Skerr attorney
and agent for J. S. Moore and
E. W. Moore, doing business under
the firm name of J. S. Moore & Son,
in a certain Chancery cause pend-
ing the Lee County Circuit
Court wherein J. S. Moore and
E. W. Moore, doing business
as aforesaid, are plaintiffs
and J. W. Howard and
Claude Howard, doing business
under the name J. W. Howard
& Co. and J. H. Howard, are
defendants, made oath before
me in my office that he
believes that said J. H. Howard
is justly indebted to said
J. S. Moore and E. W. Moore
doing business as aforesaid
in the sum of \$418⁰⁰ with in-
terest thereon from June 1, 1894,
and that said plaintiffs have
cause of action upon said
debt; and that said affiant
believes that said J. H. Howard

has assigned on assignment of
a certain stock of goods, wares
and merchandise and Soda
fountain at Olinger, in
Lee County, Virginia, in a
store house known as the
Bent Thompson house, with
intent to hinder, delay or
defraud his creditors; and
that said applicant believes
that said J. H. has converted
the aforesaid stock of goods,
wares and merchandise and
Soda fountain into money,
securities or evidences of debt,
with intent to hinder, delay or
defraud his creditors.

Given under my hand
the 23rd day of Aug. 1894.

A. B. Munnery Clerk

J. S. Moorhead

1845 { affidavit

J. H. Howard & Co

H. A. W. Sheen, Attorney,
Office in Sheen Building,
Shawnee Avenue.

Big Stone Gap, Va., 189

Lee County Circuit Court.

Aug 4, 1894.

J. S. Moore & B. W. Moore, partners trad-
ing under the firm name of J. S. Moore & son, Depts.
Price in Chy.

J. F. Newvard & J. W. Newvard and Claud
Newvard, Depts.
doing business under the firm name of J. W. Newvard

Issue summons to Aug 2nd Rules, 1894.

Also issue attachment in Chan-
cery to same rules, Order of Pub-
lication vs. J. F. & Claud Newvard.

Object of suit to recover of J. F. New-
ard \$418⁰⁰ with interest from June 1, 1894,
and to attach the goods wares
Dolls furniture and misc. of real estate
and merchandise now in the pos-
session of J. W. & Claud Newvard,
at Olney, Va. H. A. W. Sheen
Jas

J. S. Moore & Co

as { memorandum
for
suit

J. H. Woodward & Co

Richmond, Va., July 13 1894

Mrs. J. G. Howard

Bought of J. S. MOORE & SON,

Wholesale * Grocers * and * Provision * Dealers.

Try "OUR DAISY" and "PRIDE OF RICHMOND" FLOURS.

Terms.....days, or Cash less.....per cent.
discount if remitted within five days.
Remittances must be made direct to the house

105 and 107 S. Fourteenth Street, Below Cary.

Feb	132	Boxes Plain Stick Candy	100 @ 6 1/2	6 50	
	1	Gross #2 Bluing		2 50	
60 Days				10	9 10
Mar	8	1 Bbl. #8 Sugar	36 @ 39 1/2		14 35
	8	1 Sack Rio Coffee	131 @ 2 1/2	28 17	
	1	Bbl. #5 Syrup	54 @ 18	9 72	
60 Days				25	38 14
	23	1 Bbl. Apple Vinegar	45 @ 18	8 10	
		1 Doz 2 Hoop Pails		1 25	
		10 # Allspice	@ 8	80	
		1 Lin Black Pepper	10 @ 13	1 30	
today		1/2 M 5 # Paper Bags	250		
		1/2 M 4 #	290		
		1/2 M 6 #	400		
		1/2 M 10 #	520		
			Less 50%	3 65	
		1 Bag Guts	40 @ 1 1/2	60	
		1 Sack Rio Coffee	130 @ 18	23 40	
		1 Keg soda	112 @ 3 1/2	3 92	
		1 Case Oriso Coffee	60 @ 23 80	14 28	
		1 Sardines		4 50	
		1 Rm. 11 X 14 Paper		15	
		1 14 X 18		25	
		1 18 X 28		40	
			Drayage	25	62 88
23		100 # Candy	@ 6 1/2	6 50	
		1 L B Cheese	63 @ 12 1/2	7 88	
		1 Bbl. Gr Sugar	341 @ 43 6	14 87	
		1 Pail French Mixture	30 @ 8	2 40	
		1 Case A. Grease		1 25	
		1 Box Bulk Sides	505 @ 7 1/8	35 84	
			Drayage	25	68 99
today	26	1 Bbl. Gr. Sugar	337 @ 43 6		14 69
today	26	1 Sack Rio Coffee	133 @ 2 1/2		28 60
	26	1 Sack Rio Coffee	132 @ 20	26 40	
today		1 Keg soda	112 @ 3 1/2	3 92	
		50 # Rice	@ 4 1/2	2 25	
		Shipped to L. Cohen		15	32 72
Apl	7	1 Sack Rio Coffee	135 @ 21	28 35	
today		1	146 @ 18	26 28	54 63
	7	1 Box Bulk Sides	610 @ 7 1/8	43 46	
		1 Vulcan Matches	50 @ 60	3 00	

20 days	100 # Rice	@ 4 1/2	4 50	
	1 Case Soda	60 @ 5 1/2	3 30	
	1 " Oysters	@ 90	1 80	
	1 Bbl # 8 Sugar	348 @ 369	12 84	
		Drayage	25	69 15
14	100 # Stick Candy	@ 6 1/2	6 50	
	1 Bucket French Mixture	30 @ 8	2 40	
20 days	1 Case 2 1/2 Cans of Lard	100 @ 6 1/2	6 50	
	1 Box chewing Gum		90	
	1 " Soda Crackers	23 @ 5 1/2	1 27	
	5 # Paper twine	@ 15	75	
		Drayage	15	18 47
28	1 Box Bulk Sides	359 @ 7 1/2	26 92	
30 days	1 Sack Rio Coffee	128 @ 21	26 88	
		Drayage	15	53 95
				465 64
May 10	By Cash		50 00	
June 29			40 00	90 00
				375 64
July 9	10 Protested check returned			42 36
	check \$40 00 minus 2 36			418 00

418 200
415 64
STATE OF VIRGINIA, } to wit:
City of Richmond,

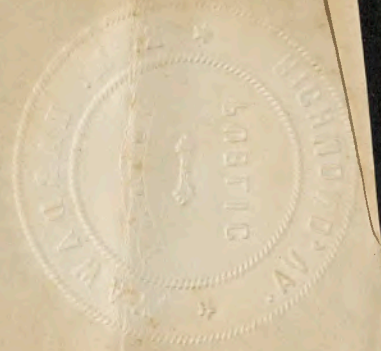
This day personally appeared before me, a Notary Public for the city afore-
said in the State of Virginia, E W Moore
and made oath that the account hereto attached, against J. G. Howard
and in favor of J S Moore anfor
Richmond Va
is correct, to the best of his knowledge and belief; that the same is now due, and that no part
thereof has been paid.

In Witness Whereof, I have hereunto set my hand and Seal
this 14 day of July 189 4

R M Hardaway
Notary Public City of Richmond,



"J. S. Moore & Son Account"



H. A. W. Sheen, Attorney,
Office in Sheen Building,
Shawnee Avenue.

Big Stone Gap, Va.,

Aug 4, 1894

I hereby appoint and make W. H. Moore to be
my attorney in fact to make, sign
and acknowledge, are attached
bond in the case of J. S. ~~Howard~~^{Moore & Son}
~~vs~~ J. H. Howard
Given under my hand and seal
4th day of Aug. 1894. H. A. W. Sheen

Virginia Wise County Court:

1. ~~W. H. Moore~~^{J. S. Moore & Son}, being public for
Wise County, do certify that W. H.
W. Sheen, whose name is signed
to the above writing bearing date
Aug. 4, 1894, has acknowledged
same before me in my County
aforesaid. Given under my hand
Aug 4, 1894. J. S. Moore N.P.W.

J. S. Inoué & Co
vs. Power & Co

J. H. Woodward

This deed made this 2nd day
of June 1894 by and between
J. H. Howard Kingport Sull. Co. Term
of first part, Rebecca W. Howard
of Kingport Sull. Co. Term.
of 2nd part
Witnesseth that for and in consideration
of the sum of (\$300⁰⁰) Three hundred
dollars in hand paid the
receipt of which is hereby acknowledged
Party of the first part doth
bargain sell and convey unto the
Party of 2nd part
The following described property
two certain lots in the Clinger Town
plat Map 188. in block B. & 2
size of each lot being (30 x 100 ft.)
Thirty ft wide by one hundred ft long
And the said J. H. Howard party of the
first part doth covenant with
Rebecca W. Howard party of 2nd part
that he warrants generally the
lots hereby conveyed
Witness the following signature
and seal

at J. W. Howard. J. H. Howard (seal)

Virginia Lee County, to wit:
I, D. F. Sewell a notary Public
for the county aforesaid in the state
of Virginia, do certify that J. F.
Howard, whose name is signed
to the writing above bearing date on
the 2nd day of June 1894. Was acknowl-
edged the same before me in my
county aforesaid. Given under
my hand this 11th day of June
1894.

D. F. Sewell
Notary Public for
Lee Co., Va

File for record
June 11/94

Know all Men by these Presents, That we W. H. Horton and
H. A. M. Skeen
 are held and firmly bound unto Commonwealth
 in the sum of One Thousand Dollars, to the payment whereof we
 bind ourselves, our heirs, executors and administrators, jointly and severally, by these presents.
 We hereby waive the benefit of our homestead exemption as to this obligation. Witness our
 hands and seals this 4th day of August 1894

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas J. S. Moore
+ Son
Bill in Chancery
 plaintiffs in a suit instituted in the Circuit Court of the County of Lee, against J. M.
Howard + Co and J. F. Howard

defendant, has upon affidavit, made in due form of law, sued out of the Clerk's Office of the said
 Court an attachment against the estate of the said J. M. Howard + Co,
and J. F. Howard for the sum of \$418.00,

being the amount claimed by the said plaintiff in the said suit.
 NOW THEREFORE, If the said J. S. Moore + Son
 shall pay all costs and damages which may be awarded against them or sustained by
 any person by reason of their suing out the said attachment, then the above obligation
 to be void, otherwise to remain in full force.

Executed in the presence of

W. H. Horton [SEAL.]
H. A. M. Skeen [SEAL.]
for W. H. Horton [SEAL.]
his atty in fact

In the Clerk's Office of the Circuit Court of the County of Lee, the _____ day of
August 1894.

_____ the securit
 in the above bond, this day made oath before me, A. B. MUNSEY, Clerk of the said Court, that
 _____ estate, after a payment of all _____ debts and of such liabilities as he ha
 incurred for others and expect to have to pay, _____ worth \$ _____ the
 penalty of the said bond.

Given under my hand as Clerk of the said Court this _____ day of _____ 1894.

 Clerk.

J S Moore + son
vs
J F Howard

to. { Attachment Bond.

Commonwealth

p. q.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee Greeting:

WHEREAS

J S Moore & E W Moore partners trading
under the firm name of J S Moore & son

instituted in our Circuit Court of the County of Lee, a certain action of
In Chancery against

J W Howard & Iland Howard & J H Howard doing
business under the firm name of J W Howard & co

which action is now pending in the said Court: And there having been filed in the Clerk's Office of our said
Court an affidavit that the claim of said plaintiff asserted in the said suit is believed to be just, that the affiant
believes the plaintiffs are entitled to or ought to recover \$418.00

at the least, with interest thereon to be computed after the rate of six per centum per
annum from the 1st day of June 1894, till payment, and that to the best
of the said affiant's belief the said defendant is J H Howard

1. a foreign corporation, or not a resident of this State, and has estate of debts
owing to said defendant within the of in which the action is, or
sued with a defendant residing therein;

2. removing or about to remove out of this State, with intent to change domicile;

3. removing, or intend to remove, or has removed

own estate, or the proceeds of the sale of property, or a material part of such estate or
proceeds, out of this State, so that process of execution on a judgment, when obtained in said action, will be
unavailing;

4. are converting, or are about to convert, or have converted their property, or some part
thereof, into money, securities, or evidences of debt, with intent to hinder, delay or defraud their creditors;

5. have assigned or disposed of, or are about to assign or dispose of, their estate, or some
part thereof, with intent to hinder, delay, or defraud their creditors:

Therefore we command you, that you attach the estate of the said

J W Howard & Iland Howard & J H Howard for the amount of the said

\$418.00 with interest thereon, as afore-

said, and the costs, and that you secure such estate so attached in your hands, or so provide that the same
may be forthcoming and liable to further proceedings thereupon to be had before our said Court on the
3rd Monday in August 1894 day of the next term thereof; and that you have then there this writ, and make
return to the said Court how you have executed the same.

Witness, A B Munsey

Clerk of our said Court, at the Court-house,

this 4th day of August, 1894 in the 119th year of the Commonwealth.

A B Munsey Clerk

J. S. Moore & son

vs

ATTACHMENT.

J. W. Howard & Co

To 2 August Rule Term, 1894

H. A. W. Skeen p. q.

Executed Aug 6 1894
 by delivering a copy
 of the within attachment
 to J. W. Howard & Co by
 attaching all the goods
 wares merchandise
 Soda fountain and
 store fixtures and
 books ~~the~~ now in
 the store house occupied
 by J. W. Howard & Co at
 Olinger Va by taking
 possession of the keys of
 said store house
 this Aug the 6th 1894
 L. M. Wade D. S. for
 C. E. Flannery
 S. L. C.

The Plaintiff designate

as being in possession of effects of, or being indebted to the Defendant

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE COMMAND YOU, That you summon

J M Howard & bland Howard
doing business under the firm name of
J M Howard & Co and J F Howard

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *October*, 189*4* to answer a bill in Chancery,

exhibited against *Them* in our said court by *J. S. Moore &*
E. M. Moore partners Trading under the firm
name of J S Moore & son

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of *August* 189*4* and in the 11 *9th* year of the

Commonwealth.

A B Munsey Clerk.

The plaintiff in this suit having made affidavit as required by law it is hereby ordered that the officer, to whom this suit is directed, do attach a certain stock of goods, wares and merchandise, and goods, furniture at Olinger Lee County, Va. house, formerly in possession of J. W. Howard & Co. but now in possession of the Sheriff of Lee County, Virginia, and the same subject to future order of this Court. Aug 23, 1894

A. B. Munsey Clerk

J. S. Moore & Son

VS. { SUPENA
IN CHANCERY.

J. F. McCreant & Co.

p. q.

To Oct 1st 1894 Rules,

Circuit Court.

copy for

David Howard

Bond has
been given
in this case
by said plaintiff
A. B. Munsey
Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE COMMAND you, That you summon *J M Howard & Claud Howard*
doing business under the firm name of J M
Howard & Co. and J H Howard

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *October*, 189*4*, to answer a bill in Chancery,

exhibited against *them* in our said court by *J S Moore &*
E W Moore partners trading under the firm
name of J S Moore & son

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of *August* 189*4*, and in the 11 *9th* year of the

Commonwealth.

A B Munsey Clerk.

The plaintiffs in this case having made affidavit as re-
 quired by law, it is hereby ordered that the officers to whom
 this writ is directed do attach a certain stock of goods
 wares and merchandise and soda fountain at Chicago,
 Lee County, Virginia, in the store here known as
 the Bent Thompsons house, formerly in possession
 of J. W. Howard & Co but now in possession of
 the Sheriff of Lee County Va and keep same sub-
 ject to future order of this court. Aug 23 1894.

A. B. Munsey Clerk

Bonds has been given in this case by the plaintiffs

A. B. Munsey Clerk

VS. { SUPENA
IN CHANCERY.

J. F. Howard & Co

p. q.

To Oct 17 1894 Rules,
Circuit Court.

Copy for
J. F. Howard

In the Clerk's Office of the Circuit Court of the County of
Lee, 189.

J S Moore & Son
vs

J M Howard & Co

In Chy

W. H. Horton maketh oath and saith that he believes that the claim of
the plaintiffs asserted in this suit is just, that he believes the plaintiffs ~~are~~ entitled to or ought to recover in
this action the sum of \$418.00. J. F. Howard & Co. & Claud Howard are
(at the least), and that he believes the defendants, ~~are~~ non residents of this State, and have estate
or debts owing to them within the State of Virginia, or is sued with a de-
fendant residing therein.

W. H. Horton

Sworn to before me this 4th day of August 1894.

A. B. Munsey Clerk.

J S Moore & son

vs.

Affidavit for Attachment

vs.

Estate of Non-Resident.

J F Howard et al

Filed Aug the 14th 1894
A B Munsey
Clerk

In the Clerk's Office of the Circuit Court of the County of
Lee on the 4th day of August 1894.

against

J. S. Moore & son Plaintiff

In Chancery

J. F. Howard et al Defendant.

The object of this suit is to recover of J. F. Howard \$418.00, with
legal interest from the 1st day of June 1894, and to attach the
goods wares & merchandise Soda fountain and piece of real estate
now in the possession of J. F. & Elanor Howard at Olinger, Va.

And an affidavit having been made and filed that the defendants J. F. Howard & Elanor
Howard

not residents of the State of Virginia, it is ordered that they do appear here, within fifteen
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the Southwest
Virginians, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

A copy—Teste:

H. A. W. Skuen p. q.

A. B. Munsey Clerk.

J. S. Moore & son

VS.

}

ORDER
OF
PUBLICATION.

J. F. Howard et al.

Filed Aug the 4th 1894

A. B. Murray
clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*J M Howard, bland Howard
+ J F Howard doing business under the firm
name of J M Howard & Co and J F Howard*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *August*, 189*4* to answer a bill in Chancery,

exhibited against *them* in our said court by *J S Moore & M
Moore partners trading under the firm name
of J S Moore & son*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

4th day of *August* 189*4* and in the 11*th* year of the

Commonwealth.

A B Munsey Clerk.

*A copy test
A B Munsey Clerk*

vs. { SUPCENA
IN CHANCERY.

p. q.

To Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*J. W. Howard & Island Howard
+ J. F. Howard, doing business under the firm
name of J. W. Howard & Co and J. F. Howard*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *2nd* Monday in *August*, 189*4* to answer a bill in Chancery,

exhibited against *them* in our said court by *J. S. Moore +*

*E. W. Moore partners trading under the firm
name of J. S. Moore & son*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

4th day of *August* 189*4* and in the 11 *9th* year of the

Commonwealth.

A. B. Munsey Clerk.

J. S. Moore & son

vs. { SUPRENA
IN CHANCERY.

J. F. Howard et al

H. A. W. Skeen p. q.

To 2nd August Rules,
Circuit Court.

Executed Aug 6th 1894
by Delivering a true office
copy of the within return
to J. W. Howard. Eland
Howard and J. F. Howard
not found in my
Balerwick.

This Aug the 6th /94
L. M. Wade D.S. for
C. E. Channing
S. L. H.

Further executed by delivering
a true office copy of the within
return to J. F. Howard ~~on~~
the 16 day of Aug 1894
This Aug the 20th 1894
L. M. Wade D.S. for C. E. Channing
S. L. H.

As deputy Sheriff for C. E. Hlanany
Sheriff of Lee County, Va. I hereby
accept legal service of said
attachment, in Lee County, Va. on the
30th day of Aug. 1894, at 3 O'clock P.M.
of said day, and having heretofore
taken possession of the stock of goods
and tools found in, mentioned in
said order of attachment by vir-
tue of another attachment, and
now having possession and control
of same, I hereby, by virtue of this
attachment, again take possession
of said property. This 30th day of Aug. 1894
L. C. Wade

Deputy Sheriff for C. E. Hlanany
Sheriff of Lee County, Va.

The "SOUTHWEST VIRGINIAN" Book and Job

Jonestown, Va.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE COMMAND YOU, That you summon

James Stewart & John Stewart
doing business under the firm name of J. & J.
Stewart, and J. Stewart

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the 1st Monday in October, 1894 to answer a bill in Chancery,

exhibited against them in our said court by J. & J. Moore & Co.

J. & J. Moore partners trading under the firm
name of J. & J. Moore & Co.

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of August 1894 and in the 11th year of the

Commonwealth.

A. B. Munsey Clerk

The plaintiffs in this suit having made affidavit as required by ^{law} it is hereby ordered that the officer, to whom this suit is directed, do attach a certain stock of goods wares and merchandise and soda fountain at Olinger, Lee County Va. in the store house known as The Bent Thompson house, formerly in possession of J.W. Howard & Co. but now in possession of the Sheriff of Lee County Va. and keep same subject to future order of the court.

Teste: A B Munsey

And has been given in this case by said Plaintiffs

A B Munsey
Clerk

I hereby designate that L.M. Wade, D.S. for Lee County Va. as Sheriff of Lee County Va. do having in his possession a certain stock of goods wares and merchandise and soda fountain, at Olinger, Lee Co., Va. to receive which he has sent out the writ attachment to enforce the payment of \$418.00 with interest from June 1, 1894.

J.S. Moore & Son
by A.W. Skeen
City

To Oct 1st / 1894
Circuit Court
Rules

p. 9

J.W. Howard & Co.

VS.
SUPREMA
IN CHANCERY

J. S. Moore & Son

OFFICE OF
H. A. W. SKEEN,
ATTORNEY-AT-LAW.

Executed this within Suprema and order of attachment by leaving a copy of each with J.W. Howard in Lee County Va. on 30 day of Aug. 1894, at 3 O'clock P.M. of said day, and by taking possession of a certain stock of goods, wares and merchandise, and soda fountain, at Olinger, Lee Co., Va. in the store house known as The Bent Thompson house, and herewith annex a list and invoice of said property as part of this return. Said property is claimed by J.W. Howard & Co.

This Aug 30th 1894
L.M. Wade Deputy
for C. E. Clary